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Docket No. F-8421

Ser. No. 10/526,658

REMARKS

Claims 1-20 are now pending in this application. Claim 1 is rejected. Claims 2-9 are objected to. Claims 10-20 are allowed. Claim 1 is amended herein to clarify the invention along the lines of claim 10 wherein it is stated that the user applied removal force is applied to the first contact. As such, it is respectfully submitted that the present amendment does not raise new issues and its entry is clearly acceptable to place the application into condition for allowance.

CLAIM REJECTIONS UNDER 35 U.S.C. § 102(b)

Claim 1 is rejected under 35 U.S.C. § 102(b) as being anticipated by the Graninger reference. Applicant herein respectfully traverses this rejection. "Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, *arranged as in the claim.*" *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 221 USPQ 481, 485 (Fed. Cir. 1984) (emphasis added). It is respectfully submitted that the cited reference is deficient with regard to the following.

Contrary to the Examiner's assertion, the removing force in the Graninger reference does not act to separate contacts. This feature of claim 1 is now clarified to read that the removing force "is transmitted to at least one of said first contact and said second contact to separate said first contact from said second contact."

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Thus, the present invention provides for transmitting the removing force so as to separate the contacts even if the contacts may become fused.

In contrast, the Graninger reference clearly fails to disclose transmitting the removing force to the contacts. It is clear from Figs. 1 and 4 that when the switch operator 94 is dismounted from a contact block 48, the removing force is not transmitted to either of contact 34 and 38. Instead, the contacts are separated by an urging force of a return spring 60 applied to the contacts to open the contacts. In the situation where contacts 34 and 38 were to be fused, if the urging force of the spring 60 is not greater than the strength of the fusing of the contacts, the contact will not be separated. Since the removing force of the person is not transmitted to the contacts 34 and 38, it is not possible for the person to separate the contact 34 and 38 even though the switch operator 94 is dismounted from the contact block 48.

Furthermore, since the Graninger reference employs the spring 60 to separate contact, there is no suggestion that a removing force externally applied to dismount the operation portion from the switch portion may be used to separate the contacts 34 and 38.

Claim 1 particularly describes and distinctly claims at least one element not disclosed in the cited reference. Therefore, reconsideration of the rejection of claim 1 and its allowance are respectfully requested.

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If any the fee is due the USPTO is hereby authorized to charge any fee(s)
to Deposit Account No. 10-1250.

In light of the foregoing, the application is now believed to be in proper form
for allowance of all claims and notice to that effect is earnestly solicited.

Respectfully submitted,
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